

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

CIVIL MOTION HEARING

COURT MINUTES

BEFORE: James M. Rosenbaum
U.S. District Judge

In re: Medtronic, Inc., Implantable
Defibrillators Products Liability Litigation

Case No: 05-MDL-1726 JMR/AJB
Date: January 4, 2007
Court Reporter: Dawn Hansen
Time Commenced: 2:04 p.m.
Time Concluded: 3:51 p.m.
Time in Court: 1 Hours & 47 Minutes

Hearing on: Defendant's Motion to Dismiss Plaintiffs' Master Consolidated Complaint for Individuals (Doc. # 80); Defendant's Motion to Dismiss Plaintiffs' Master Consolidated Complaint for Third Party Payor Cases (Doc. # 89); and Defendant's Motion to Dismiss the Master Consolidated Complaint for Medicare as Secondary Payer Act Claims (Doc. #99).

APPEARANCES:

Plaintiff: Dan Gustafson, Thomas Sobol and Ronald Goldser
Defendant: Lori Cohen and Steve Immelt

****IT IS ORDERED:** Defendant's Motion to Dismiss Plaintiffs' Master Consolidated Complaint for Individuals (#80) and Defendant's Motion to Dismiss Plaintiffs' Master Consolidated Complaint for Third Party Payor (#89) Cases are denied. Defendant's Motion to Dismiss the Master Consolidated Complaint for Medicare as Secondary Payer Act Claims (#99) is granted.

∴ Written order forthcoming.

s/Heather Labat
Calendar Clerk